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Attorneys for Defendants,
COUNTY OF SAN JOAQUIN, DEPUTY RICHARD
DUNSING, and LT. MENDOZA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT T. BROWN, individually and on
behalf of Class of Persons similarly situated,

Plaintiff,

vs.

COUNTY OF SAN JOAQUIN, SHERIFF
BAXTER DUNN, SHERIFF'S DEPARTMENT
OF SAN JOAQUIN COUNTY and DOES I
through X inclusive,

Defendants.

CASE NO. CIV.S-04-2008 FCD PAN

**STIPULATION AND ORDER TO
ELECT REFERRAL OF ACTION TO
VOLUNTARY DISPUTE
RESOLUTION PROGRAM (VDRP)
PURSUANT TO LOCAL RULE 16-271**

Plaintiff ROBERT T. BROWN and Defendants COUNTY OF SAN JOAQUIN,
DEPUTY RICHARD DUNSING, and LT. MENDOZA, by and through their respective counsel,
respectfully submit this **STIPULATION AND ORDER TO ELECT REFERRAL OF
ACTION TO VOLUNTARY DISPUTE RESOLUTION PROGRAM (VDRP) PURSUANT
TO LOCAL RULE 16-271** for consideration by the Court. Pursuant to Local Rule 16-271, the
parties hereby agree to submit the above-entitled action to the Voluntary Dispute Resolution
Program ["VDRP"].

As required by Local Rule 16-271(i)(2), the parties submit the following

(A) The parties propose that the VRDP process be completed on or before October 6,
2006, and that the Neutral file confirmation of that completion on or before October 13, 2006.

1 (B) The parties suggest that the Pre-Trial Conference currently set for September 1,
2 2006, be vacated. There is no trial date.

3 (C) There are no pre-trial activities to be completed before the VDRP session is held.
4 The parties are hopeful that a resolution may be achieved with the assistance of the Neutral

5 Respectfully submitted,

6
7 OFFICE OF THE COUNTY COUNSEL

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9 Dated: August 18, 2006

By: /s/ Jason R. Morrish
10 JASON R. MORRISH
Deputy County Counsel

11 Attorneys for Defendants,
12 COUNTY OF SAN JOAQUIN, DEPUTY
RICHARD DUNSING and LT. MENDOZA

13
14 Dated: August 18, 2006

By: /s/ Bruce W. Nickerson
15 BRUCE W. NICKERSON
Attorney at Law

16 Attorney for Plaintiff,
17 ROBERT T. BROWN

18 **ORDER OF THE COURT**

19 The parties to this action having agreed to submit the above-entitled action to the
20 Voluntary Dispute Resolution Program ["VDRP"], and good cause appearing therefor,

21 IT IS HEREBY ORDERED THAT:

22 The above-entitled action be, and hereby is, referred to VDRP.

23 The September 1, 2006, date for the Pre-Trial Conference is VACATED and RESET for
24 Friday, November 17, 2006 at 3:30 p.m. The joint pretrial statement shall be filed no later than
25 November 9, 2006.

26 Dated: August 22, 2006

/s/ Frank C. Damrell Jr.
27 Hon. Frank C. Damrell, Jr.
United States District Judge